

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
10
11 Plaintiff,

Case No. CR08-380-RSL

12 v.

13 MICHAEL W. ROOT,
14
15 Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

16 **INTRODUCTION**

17 I conducted a hearing on alleged violations of supervised release in this case on April 24,
18 2013. The defendant appeared pursuant to a warrant issued in this case. The United States was
19 represented by Bruce Miyake, and defendant was represented by Terrence Kellog. Also present
20 was U.S. Probation Officer Jennifer Tien. The proceedings were digitally recorded.

21 **SENTENCE AND PRIOR ACTION**

22 Defendant was sentenced on June 26, 2009, by the Honorable Robert S. Lasnik for Bank
23 Robbery. He received 44 months detention and 3 years of supervised release.

Mr. Root's initial term of supervision commenced on March 9, 2012. On April 25, 2012,
a violation report and request for warrant alleged Mr. Root had violated the conditions of his
supervised release by failing to satisfactorily participate in a residential reentry center program.

1 On May 10, 2012, Mr. Root's term of supervised release was revoked and he was sentenced to
2 45 days imprisonment, to be followed by a 3 year term of supervised release.

3 **PRESENTLY ALLEGED VIOLATIONS**

4 In a petition dated June 8, 2012, U.S. Probation Officer Todd Sanders alleged that
5 defendant violated the following conditions of supervised release:

6 1. Failing to satisfactorily participate in a residential reentry center program, on or
7 about June 11, 2012, in violation of his special condition of supervised release.

8 **FINDINGS FOLLOWING EVIDENTIARY HEARING**

9 Defendant admitted the above violations, waived any hearing as to whether they
10 occurred, and was informed the matter would be set for a disposition hearing on May 10, 2013 at
11 11:30 a.m. before District Judge Robert S. Lasnik.

12 **RECOMMENDED FINDINGS AND CONCLUSIONS**

13 Based upon the foregoing, I recommend the court find that defendant has violated the
14 conditions of his supervised release as alleged above, and conduct a disposition hearing.

15 DATED this 24th day of April, 2013.

16
17 

18 BRIAN A. TSUCHIDA
19 United States Magistrate Judge
20
21
22
23